

GOVERNMENT CODE

TITLE 4. EXECUTIVE BRANCH

SUBTITLE F. COMMERCE AND INDUSTRIAL DEVELOPMENT

For expiration of this chapter, see Section 490H.008.

CHAPTER 490H. GOVERNOR'S BROADBAND DEVELOPMENT COUNCIL

Sec. 490H.001. DEFINITIONS. In this chapter:

(1) "Broadband" means a service that provides advanced telecommunications capability and Internet access.

(2) "Council" means the governor's broadband development council.

(3) "Unserved area" means a census block without access to broadband capable of providing:

(A) a download speed of at least 25 megabits per second; and

(B) an upload speed of at least three megabits per second.

Added by Acts 2019, 86th Leg., R.S., Ch. 228 (H.B. 1960), Sec. 1, eff. May 25, 2019.

The following section was amended by the 87th Legislature. Pending publication of the current statutes, see H.B. 5, 87th Legislature, Regular Session, for amendments affecting the following section.

Sec. 490H.002. COMPOSITION. (a) The council is composed of the following 17 voting members:

(1) two representatives of separate Internet service provider industry associations, including at least one representative of an association that primarily represents small providers, as defined by Section 56.032, Utilities Code, appointed by the governor;

(2) one representative of the health information technology industry, appointed by the governor;

(3) two representatives of unaffiliated nonprofit organizations that advocate for elderly persons statewide, appointed by the governor;

(4) two representatives of unaffiliated nonprofit organizations that have a demonstrated history of working with the

legislature and the public to identify solutions for expanding broadband to rural, unserved areas of this state, appointed by the governor;

(5) one representative of an agricultural advocacy organization in this state, appointed by the governor;

(6) one representative of a hospital advocacy organization in this state, appointed by the governor;

(7) one representative of a medical advocacy organization in this state, appointed by the governor;

(8) one county official who serves in an elected office of a county with a population of less than 35,000, appointed by the governor;

(9) one municipal official who serves in an elected office of a municipality with a population of less than 20,000 located in a county with a population of less than 60,000, appointed by the governor;

(10) one representative of an institution of higher education that has its main campus in a county with a population of less than 60,000, appointed by the governor;

(11) one representative of a school district with a territory that includes only counties with a population of less than 60,000, appointed by the governor;

(12) one representative from a library association, appointed by the governor;

(13) one member of the house of representatives, appointed by the speaker of the house of representatives; and

(14) one state senator, appointed by the lieutenant governor.

(b) A member of the council appointed under Subsection (a) serves for a five-year term.

(c) A vacancy on the council is filled in the same manner as the original appointment.

Added by Acts 2019, 86th Leg., R.S., Ch. 228 (H.B. [1960](#)), Sec. 1, eff. May 25, 2019.

The following section was amended by the 87th Legislature. Pending publication of the current statutes, see H.B. [5](#), 87th Legislature,

Regular Session, for amendments affecting the following section.

Sec. 490H.003. COUNCIL PRESIDING OFFICER. The governor shall designate the presiding officer of the council.

Added by Acts 2019, 86th Leg., R.S., Ch. 228 (H.B. 1960), Sec. 1, eff. May 25, 2019.

The following section was amended by the 87th Legislature. Pending publication of the current statutes, see H.B. 5, 87th Legislature, Regular Session, for amendments affecting the following section.

Sec. 490H.004. MEETINGS. (a) The council shall convene at least once every quarter.

(b) The council shall convene at the call of the presiding officer.

Added by Acts 2019, 86th Leg., R.S., Ch. 228 (H.B. 1960), Sec. 1, eff. May 25, 2019.

Sec. 490H.005. ADMINISTRATIVE SUPPORT. The office of the governor shall provide administrative support to the council.

Added by Acts 2019, 86th Leg., R.S., Ch. 228 (H.B. 1960), Sec. 1, eff. May 25, 2019.

The following section was amended by the 87th Legislature. Pending publication of the current statutes, see H.B. 5, 87th Legislature, Regular Session, for amendments affecting the following section.

Sec. 490H.006. DUTIES. (a) The council shall:

(1) research the progress of broadband development in unserved areas;

(2) identify barriers to residential and commercial broadband deployment in unserved areas;

(3) study technology-neutral solutions to overcome barriers identified under Subdivision (2); and

(4) analyze how statewide access to broadband would benefit:

(A) economic development;

(B) the delivery of educational opportunities in higher education and public education;

(C) state and local law enforcement;

(D) state emergency preparedness; and

(E) the delivery of health care services, including telemedicine and telehealth.

(b) The council may research another matter related to broadband only if a majority of the council approves researching the matter.

(c) For the purpose of performing its duties under this section, the council may consult with a representative of an institution of higher education who has published scholarly research on broadband.

Added by Acts 2019, 86th Leg., R.S., Ch. 228 (H.B. 1960), Sec. 1, eff. May 25, 2019.

Sec. 490H.007. ANNUAL REPORT. Not later than November 1 of each year, the council shall prepare and deliver an electronic report of its findings and recommendations to the governor, the lieutenant governor, and each member of the legislature.

Added by Acts 2019, 86th Leg., R.S., Ch. 228 (H.B. 1960), Sec. 1, eff. May 25, 2019.

Sec. 490H.008. EXPIRATION. This chapter expires September 1, 2029.

Added by Acts 2019, 86th Leg., R.S., Ch. 228 (H.B. 1960), Sec. 1, eff. May 25, 2019.